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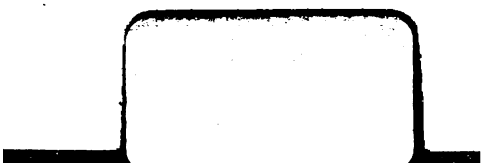

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THE

CONSTITUTION

OF THE

UNITED STATES OF AMERICA:

THE

RULES

OF THE

HOUSE OF REPRESENTATIVES,

AND THE

JOINT RULES OF THE TWO HOUSES.

December 2, 1839

Thomas Allen, printer.

U.S. Rules — Constitution, [illegible]
Manual — [illegible]

CONSTITUTION

OF THE

UNITED STATES OF AMERICA,

AS

PROPOSED BY THE CONVENTION

HELD AT PHILADELPHIA, SEPTEMBER 17, 1787, AND SINCE RATIFIED BY THE SEVERAL STATES;

WITH THE AMENDMENTS THERETO:

TO WHICH ARE ADDED,

STANDING RULES AND ORDERS

FOR CONDUCTING BUSINESS IN THE

HOUSE OF REPRESENTATIVES OF THE UNITED STATES.

PRINTED BY ORDER OF THE HOUSE OF REPRESENTATIVES.

WASHINGTON:

THOMAS ALLEN, PRINTER.

1838.

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CONSTITUTION.

We the People of the United States in order to form a more perfect union, establish justice, ensure domestic tranquillity, provide for the common defence, promote the general welfare and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.

ARTICLE I.

SECTION I.

Congress. All Legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

SECTION II.

Representatives, how chosen. The House of Representatives shall be composed of members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State Legislature.

Qualification of Representatives. No person shall be a Representative who shall not have attained to the age of twenty-five years, and been seven years a citizen of the United States, and who shall not, when elected, be an inhabitant of that State in which he shall be chosen.

Apportionment of Representatives and direct taxes. Representatives and direct taxes shall be apportioned among the several States which may be included within this Union, according to their respective numbers, which shall be

determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three-fifths of all other persons. The actual enumeration shall be made within three years after the first meeting of the Congress of the United States, and within every subsequent term of ten years, in such manner as they shall by law direct. The number of Representatives shall not exceed one for every thirty thousand, but each State shall have at least one Representative; and until such enumeration shall be made, the State of *New Hampshire* shall be entitled to choose three, *Massachusetts* eight, *Rhode Island* and *Providence Plantations* one, *Connecticut* five, *New York* six, *New Jersey* four, *Pennsylvania* eight, *Delaware* one, *Maryland* six, *Virginia* ten, *North Carolina* five, *South Carolina* five, and *Georgia* three.

Census every ten years.

Vacancies, how filled.

When vacancies happen in the representation from any State, the Executive authority thereof shall issue writs of election to fill such vacancies.

Representatives choose officers and bring impeachments.

The House of Representatives shall choose their Speaker and other officers; and shall have the sole power of impeachment.

SECTION III.

Senate, how chosen.

The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof, for six years; and each Senator shall have one vote.

Senators classed.

Immediately after they shall be assembled in consequence of the first election, they shall be divided as equally as may be into three classes. The seats of the Senators of the first class shall be vacated at the expiration of the

second year, of the second class at the expiration of the fourth year, and of the third class at the expiration of the sixth year, so that one-third may be chosen every second year; and if vacancies happen by resignation or otherwise, during the recess of the Legislature of any State, the Executive thereof may make temporary appointments, until the next meeting of the Legislature, which shall then fill such vacancies. Vacancies, how filled.

No person shall be a Senator who shall not have attained to the age of thirty years, and been nine years a citizen of the United States, and who shall not, when elected, be an inhabitant of that State for which he shall be chosen. Qualification of Senators.

The Vice President of the United States shall be President of the Senate, but shall have no vote, unless they be equally divided. Vice President to preside.

The Senate shall choose their other officers, and also a President pro tempore, in the absence of the Vice President or when he shall exercise the office of President of the United States. Officers of Senate.

The Senate shall have the sole power to try all impeachments: when sitting for that purpose, they shall be on oath or affirmation. When the President of the United States is tried the Chief Justice shall preside: and no person shall be convicted without the concurrence of two-thirds of the members present. Trial of impeachments.

Judgment in cases of impeachment shall not extend farther than to removal from office, and disqualification to hold and enjoy any office of honor, trust or profit under the United States: but the party convicted shall nevertheless be liable and subject to indictment, trial, judgment and punishment, according to law. Judgment on impeachment—Effect of.

SECTION IV.

Elections, when and how held.

The times, places and manner of holding elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators.

Congress assemble annually.

The Congress shall assemble at least once in every year, and such meeting shall be on the first Monday in December, unless they shall by law appoint a different day.

SECTION V.

Elections, how judged.

Each House shall be the judge of the elections, returns and qualifications of its own members, and a majority of each shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorized to compel the attendance of absent members, in such manner, and under such penalties as each House may provide.

Quorum.

Absent members.

Rules.

Each House may determine the rules of its proceedings, punish its members for disorderly behavior, and with the concurrence of two-thirds expel a member.

Expulsion.

Journals to be kept and published.

Each House shall keep a journal of its proceedings, and from time to time publish the same, excepting such parts as may in their judgment require secrecy; and yeas and nays of the members of either House on any question shall, at the desire of one-fifth of those present, be entered on the journal.

Yeas and nays.

Adjournments.

Neither House, during the session of Congress shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two Houses shall be sitting.

SECTION VI.

Compensation.

The Senators and Representatives shall receive a compensation for their services, to be ascertained by law, and paid out of the treasury of the United States. They shall in all cases except treason, felony and breach of the peace, be privileged from arrest during their attendance at the session of their respective Houses, and in going to and returning from the same; and for any speech or debate in either House, they shall not be questioned in any other place.

Privileges.

Members not appointed to office.

No Senator or Representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the United States, which shall have been created, or the emoluments whereof shall have been increased during such time: and no person holding any office under the United States shall be a member of either House during his continuance in office.

Officers of Government cannot be members.

SECTION VII.

Revenue bills.

All bills for raising revenue shall originate in the House of Representatives; but the Senate may propose, or concur with, amendments, as on other bills.

Bills to be presented to the President.

Every bill which shall have passed the House of Representatives and the Senate, shall, before it become a law, be presented to the President of the United States; if he approve he shall sign it, but if not he shall return it, with his objections, to that House in which it shall have originated, who shall enter the objections at large on their journal and proceed to reconsider it. If after such reconsideration two-thirds of that House shall agree to pass the

His powers over them.

Proceedings on his veto.

bill, it shall be sent, together with the objections, to the other House, by which it shall likewise be reconsidered, and if approved by two-thirds of that House, it shall become a law. But in all such cases the votes of both Houses shall be determined by yeas and nays, and the names of the persons voting for and against the bill shall be entered on the journal of each House respectively. If any bill shall not be returned by the President within ten days (Sundays excepted), after it shall have been presented to him, the same shall be a law, in like manner as if he had signed it, unless the Congress by their adjournment prevent its return, in which case it shall not be a law.

Bills to be laws if not returned in ten days.

Every order, resolution, or vote to which the concurrence of the Senate and House of Representatives may be necessary (except on a question of adjournment) shall be presented to the President of the United States; and before the same shall take effect, shall be approved by him, or, being disapproved by him, shall be repassed by two-thirds of the Senate and House of Representatives, according to the rules and limitations prescribed in the case of a bill.

Joint orders or resolutions to be approved by President.

SECTION VIII.

The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defence and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States.

Powers of Congress— Lay taxes— Pay debts— General welfare— Duties uniform—

To borrow money on the credit of the United States;

Borrow money.

To regulate commerce with foreign nations,

Commerce.

and among the several States, and with the Indian tribes;

To establish a uniform rule of naturalization, and uniform laws on the subject of bankruptcies throughout the United States; — Naturalization. Bankruptcy.

To coin money, regulate the value thereof, and of foreign coin, and fix the standard of weights and measures; — Coin money. Weights and measures.

To provide for the punishment of counterfeiting the securities and current coin of the United States; — Counterfeiting.

To establish post offices and post roads; — Post roads.

To promote the progress of science and useful arts, by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries; — Promote arts and science.

To constitute tribunals inferior to the Supreme Court; — Inferior courts.

To define and punish piracies and felonies committed on the high seas and offences against the law of nations; — Piracies, &c.

To declare war, grant letters of marque and reprisal, and make rules concerning captures on land or water; — Declare war, and make captures.

To raise and support armies, but no appropriation of money to that use shall be for a longer term than two years; — Raise armies.

To provide and maintain a navy; — Navy.

To make rules for the government and regulation of the land and naval forces; — Rules and articles of war.

To provide for calling forth the militia to execute the laws of the Union, suppress insurrections and repel invasions; — Call out militia.

To provide for organizing, arming, and disciplining the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the States respectively, the appointment of the — Organize and govern militia. Officers militia.

officers, and the authority of training the militia according to the discipline prescribed by Congress;

Exclusive legislation over seat of Government.

To exercise exclusive legislation in all cases whatsoever, over such district (not exceeding ten miles square) as may, by cession of particular States, and the acceptance of Congress, become the seat of the Government of the United States, and to exercise like authority over all places purchased by the consent of the Legislature of the State in which the same shall be, for the erection of forts, magazines, arsenals, dock-yards, and other needful buildings;—And

And over forts, arsenals, docks, &c.

To make general laws to carry powers into effect.

To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States, or in any department or office thereof.

SECTION IX.

Importation of slaves allowed till 1808.

The migration or importation of such persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the year eighteen hundred and eight, but a tax or duty may be imposed on such importation, not exceeding ten dollars for each person.

Habeas corpus.

The privilege of the writ of habeas corpus shall not be suspended, unless when in cases of rebellion or invasion the public safety may require it.

Attainder and ex post facto laws.

No bill of attainder or ex post facto law shall be passed.

Direct taxes.

No capitation, or other direct tax, shall be laid, unless in proportion to the census or enumeration herein before directed to be taken.

No tax or duty shall be laid on articles exported from any State. No exportation duty.

No preference shall be given by any regulation of commerce or revenue to the ports of one State over those of another: nor shall vessels bound to, or from, one State, be obliged to enter, clear, or pay duties in another. Commerce between the States.

No money shall be drawn from the treasury, but in consequence of appropriations made by law; and a regular statement and account of the receipts and expenditures of all public money shall be published from time to time. Money, how drawn from treasury. To be published.

No title of nobility shall be granted by the United States: and no person holding any office of profit or trust under them, shall, without the consent of the Congress, accept of any present, emolument, office, or title, of any kind whatever, from any king, prince, or foreign state. No nobility. Foreign presents and titles.

SECTION X.

No State shall enter into any treaty, alliance, or confederation; grant letters of marque and reprisal; coin money; emit bills of credit; make any thing but gold and silver coin a tender in payment of debts; pass any bill of attainder, ex post facto law, or law impairing the obligation of contracts, or grant any title of nobility. Powers denied to the States.

No State shall, without the consent of the Congress, lay any imposts or duties on imports or exports, except what may be absolutely necessary for executing its inspection laws: and the nett produce of all duties and imposts, laid by any State on imports or exports, shall be for the use of the Treasury of the United States; and all such laws shall be subject to the revision and control of the Congress. Other powers denied to States.

Further denial of powers to States.

No State shall, without the consent of Congress, lay any duty of tonnage, keep troops, or ships of war in time of peace, enter into any agreement or compact with another State, or with a foreign Power, or engage in war, unless actually invaded, or in such imminent danger as will not admit of delay.

ARTICLE II.

SECTION I.

President United States.

The Executive power shall be vested in a President of the United States of America. He shall hold his office during the term of four years, and, together with the Vice President, chosen for the same term, be elected as follows:

Electors, how appointed.

Each State shall appoint, in such manner as the Legislature thereof may direct, a number of electors, equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress: but no Senator or Representative, or person holding an office of trust or profit under the United States, shall be appointed an elector.

Electors to meet and to elect a President and Vice President.

The electors shall meet in their respective States, and vote by ballot for two persons, of whom one at least shall not be an inhabitant of the same State with themselves. And they shall make a list of all the persons voted for, and the number of votes for each; which list they shall sign and certify, and transmit sealed to the seat of the Government of the United States, directed to the President of the Senate. The President of the Senate shall

Their votes counted in Congress.

in the presence of the Senate and House of

Representatives, open all the certificates, and the votes shall then be counted. The person having the greatest number of votes shall be the President, if such number be a majority of the whole number of electors appointed; and if there be more than one who have such majority, and have an equal number of votes, then the House of Representatives shall immediately choose, by ballot, one of them for President; and if no person have a majority, then from the five highest on the list the said House shall, in like manner, choose the President. But in choosing the President, the votes shall be taken by States, the representation from each State having one vote; a quorum for this purpose shall consist of a member or member from two-thirds of the States, and a majority of all the States shall be necessary to a choice. In every case, after the choice of the President, the person having the greatest number of votes of the electors shall be the Vice President. But if there should remain two or more who have equal votes, the Senate shall choose from them by ballot the Vice President.*

Representatives to choose if electors fail.

Votes by States.

Vice President.

The Congress may determine the time of choosing the electors, and the day on which they shall give their votes; which day shall be the same throughout the United States.

Election and meeting of electors.

No person except a natural born citizen, or a citizen of the United States, at the time of the adoption of this Constitution, shall be eligible to the office of President; neither shall any person be eligible to that office who shall not have attained to the age of thirty-five

Qualifications of President.

* This clause of the Constitution has been amended. See twelfth article of the amendments, page 27.

years, and been fourteen years a resident within the United States.

Removal, death, &c. of President.

In case of the removal of the President from office, or of his death, resignation, or inability to discharge the powers and duties of the said office, the same shall devolve on the Vice President, and the Congress may by law provide for the case of removal, death, resignation, or inability, both of the President and Vice President, declaring what officer shall then act as President, and such officer shall act accordingly, until the disability be removed, or a President shall be elected.

Compensation of President.

The President shall, at stated times, receive for his services, a compensation, which shall neither be increased or diminished during the period for which he shall have been elected, and he shall not receive within that period any other emolument from the United States, or any of them.

Before he enter on the execution of his office, he shall take the following oath or affirmation:—

Oath.

"I do solemnly swear (or affirm) that I will faithfully execute the office of President of the United States, and will to the best of my ability, preserve, protect and defend the Constitution of the United States."

SECTION II.

Powers and duties of the President.

The President shall be commander-in-chief of the army and navy of the United States, and of the militia of the several States, when called into the actual service of the United States; he may require the opinion, in writing, of the principal officer in each of the Executive Departments, upon any subject relating to the

duties of their respective offices; and he shall have power to grant reprieves and pardons for offences against the United States, except in cases of impeachment.

He shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur; and he shall nominate, and by and with the advice and consent of the Senate, shall appoint ambassadors, other ministers and consuls, judges of the Supreme Court, and all other officers of the United States, whose appointments are not herein otherwise provided for, and which shall be established by law: But the Congress may by law vest the appointment of such inferior officers, as they think proper, in the President alone, in the courts of law, or in the heads of Departments. Appointment of public officers.

The President shall have power to fill up all vacancies that may happen during the recess of the Senate, by granting commissions which shall expire at the end of their next session. Vacancies in office.

SECTION III.

He shall from time to time give to the Congress information of the state of the Union, and recommend to their consideration such measures as he shall judge necessary and expedient; he may, on extraordinary occasions, convene both Houses, or either of them, and, in case of disagreement between them, with respect to the time of adjournment, he may adjourn them to such time as he shall think proper; he shall receive ambassadors and other public ministers; he shall take care that the laws be faithfully executed, and shall commission all the officers of the United States. Further powers and duties of the President.

SECTION IV.

Impeachment. The President, Vice President and all civil officers of the United States, shall be removed from office on impeachment for, and conviction of, treason, bribery, or other high crimes and misdemeanors.

ARTICLE III.

SECTION I.

Judiciary, and tenure of Judges. The Judicial power of the United States, shall be vested in one Supreme Court, and in such inferior courts as the Congress may from time to time ordain and establish. The judges, both of the Supreme and inferior courts, shall hold their offices during good behaviour, and shall, at stated times, receive for their services, a compensation, which shall not be diminished during their continuance in office.

SECTION II.

Powers of the Judiciary. The Judicial power shall extend to all cases in law and equity, arising under this Constitution, the laws of the United States, and the treaties made, or which shall be made, under their authority;—to all cases affecting ambassadors, other public ministers, and consuls;—to all cases of admiralty and maritime jurisdiction;—to controversies to which the United States shall be a party;—to controversies between two or more States;—between a State and citizens of another State,—between citizens of different States;—between citizens of the same State claiming lands under grants of different States, and between a State or the citizens thereof, and foreign States, citizens or subjects.

In all cases affecting ambassadors, other public ministers and consuls, and those in which a State shall be a party, the Supreme Court shall have original jurisdiction. In all the other cases before mentioned, the Supreme Court shall have appellate jurisdiction, both as to law and fact, with such exceptions, and under such regulations, as the Congress shall make. Jurisdiction of Supreme Court.

The trial of all crimes, except in cases of impeachment, shall be by jury; and such trial shall be held in the State where the said crimes shall have been committed; but when not committed within any State, the trial shall be at such place or places as the Congress may by law have directed. Trials by jury. And where held.

SECTION III.

Treason against the United States, shall consist only in levying war against them, or in adhering to their enemies, giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open court. Treason.

The Congress shall have power to declare the punishment of treason, but no attainder of treason shall work corruption of blood, or forfeiture except during the life of the person attainted. No corruption of blood.

ARTICLE IV.

SECTION I.

Full faith and credit shall be given in each State to the public acts, records, and judicial proceedings of every other State. And the Acts of States accredited.

Congress may by general laws prescribe the manner in which such acts, records and proceedings shall be proved, and the effect thereof.

SECTION II.

Privileges of citizenship.

The citizens of each State shall be entitled to all privileges and immunities of citizens in the several States.

Fugitives from crimes to be delivered up.

A person charged in any State with treason, felony, or other crime, who shall flee from justice, and be found in another State, shall on demand of the Executive authority of the State from which he fled, be delivered up, to be removed to the State having jurisdiction of the crime.

Fugitive slaves to be delivered up.

No person held to service or labor in one State under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up on claim of the party to whom such service or labor may be due.

SECTION III.

New States.

New States may be admitted by the Congress into this Union; but no new States shall be formed or erected within the jurisdiction of any other State; nor any State be formed by the junction of two or more States, or parts of States, without the consent of the Legislature of the States concerned as well as of the Congress.

Territory and other property of U. States.

The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States; and nothing in this Constitution shall be so construed as to

prejudice any claims of the United States, or of any particular State. Claims.

SECTION IV.

The United States shall guaranty to every State in this Union a republican form of government, and shall protect each of them against invasion; and on application of the Legislature, or of the Executive (when the Legislature cannot be convened) against domestic violence. Republican form of government. Protection of States.

ARTICLE V.

The Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose amendments to this Constitution, or, on the application of the Legislatures of two-thirds of the several States, shall call a convention for proposing amendments, which in either case, shall be valid to all intents and purposes, as part of this Constitution, when ratified by the Legislatures of three-fourths of the several States, or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by the Congress; provided that no amendment which may be made prior to the year one thousand eight hundred and eight shall in any manner affect the first and fourth clauses in the ninth section of the first article; and that no State without its consent, shall be deprived of its equal suffrage in the Senate. Amendments of this Constitution.

ARTICLE VI.

All debts contracted and engagements entered into, before the adoption of this Con- Debts of former Government recognised.

stitution, shall be as valid against the United States under this Constitution, as under the Confederation.

What constitutes the supreme law.

This Constitution, and the laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every State shall be bound thereby, any thing in the Constitution or laws of any State to the contrary notwithstanding.

Oath of public officers.

The Senators and Representatives before mentioned, and the members of the several State Legislatures, and all Executive and Judicial officers, both of the United States, and of the several States, shall be bound by oath or affirmation, to support this Constitution:

No religious test.

but no religious test shall ever be required as a qualification to any office or public trust under the United States.

ARTICLE VII.

Ratification.

The ratification of the conventions of nine States, shall be sufficient for the establishment of this Constitution between the States so ratifying the same.

Done in Convention, by the unanimous consent of the States present, the seventeenth day of September, in the year of our Lord one thousand seven hundred and eighty-seven, and of the Independence of the United States of America the twelfth. In witness whereof we have hereunto subscribed our names.

G°. WASHINGTON,
President, and Deputy from Virginia.

New Hampshire.
John Langdon,
Nicholas Gilman.
Massachusetts.
Nathaniel Gorham,
Rufus King.
Connecticut.
William Samuel Johnson,
Roger Sherman.
New York.
Alexander Hamilton.
New Jersey.
William Livingston,
David Brearley,
William Patterson,
Jonathan Dayton.
Pennsylvania.
Benjamin Franklin,
Thomas Mifflin,
Robert Morris,
George Clymer,
Thomas Fitzsimons,
Jared Ingersoll,
James Wilson,
Gouverneur Morris.
Delaware.
George Read,
Gunning Bedford, jun.
John Dickinson,
Richard Bassett,
Jacob Broom.
Maryland.
James McHenry,
Daniel of St. Tho. Jenifer,
Daniel Carroll.
Virginia.
John Blair,
James Madison, jun.
North Carolina.
William Blount,
Richard Dobbs Spaight,
Hugh Williamson.
South Carolina.
John Rutledge,
Charles C. Pinckney,
Charles Pinckney,
Pierce Butler.
Georgia.
William Few,
Abraham Baldwin.

Attest: WILLIAM JACKSON, *Secretary.*

IN CONVENTION.

MONDAY, SEPTEMBER 17, 1787.

Resolved, That the preceding Constitution be laid before the United States in Congress assembled; and that it is the opinion of this Convention that it should afterwards be submitted to a convention of delegates chosen in each State by the people thereof, under the recommendation of its Legislature, for their assent and ratification; and that each convention assenting to and ratifying the same should give notice thereof to the United States in Congress assembled.

Resolved, That it is the opinion of this Convention, that, as soon as the conventions of nine States shall have ratified this Constitution, the United States in Congress assembled

should fix a day on which electors should be appointed by the States which shall have ratified the same, and a day on which electors should assemble to vote for the President, and the time and place for commencing proceedings under this Constitution; that, after such publication, the electors should be appointed, and the Senators and Representatives elected; that the electors should meet on the day fixed for the election of the President, and should transmit their votes, certified, signed, sealed, and directed, as the Constitution requires, to the Secretary of the United States in Congress assembled; that the Senators and Representatives should convene at the time and place assigned; that the Senators should appoint a President of the Senate, for the sole purpose of receiving, opening, and counting the votes for President; and that, after he shall be chosen, the Congress, together with the President, should, without delay, proceed to execute this Constitution.

By the unanimous order of the Convention:

G°. WASHINGTON, *President.*

W. JACKSON, *Secretary.*

IN CONVENTION.

SEPTEMBER 17, 1787.

SIR: We have now the honor to submit to the consideration of the United States in Congress assembled, that Constitution which has appeared to us the most advisable.

The friends of our country have long seen and desired that the power of making war, peace, and treaties; that of levying money, and regulating commerce, and the correspon-

dent Executive and Judicial authorities, should be fully and effectually vested in the General Government of the Union; but the impropriety of delegating such extensive trust to one body of men is evident: hence results the necessity of a different organization.

It is obviously impracticable, in the Federal Government of these States, to secure all rights of independent sovereignty to each, and yet provide for the interest and safety of all. Individuals entering into society must give up a share of liberty to preserve the rest. The magnitude of the sacrifice must depend as well on situation and circumstance, as on the object to be obtained. It is at all times difficult to draw, with precision, the line between those rights which must be surrendered and those which may be reserved; and, on the present occasion, this difficulty was increased by a difference among the several States, as to their situation, extent, habits, and particular interests.

In all our deliberations on this subject, we kept steadily in our view that which appears to us the greatest interest of every true American—the consolidation of our Union; in which is involved our prosperity, felicity, safety—perhaps our national existence. This important consideration, seriously and deeply impressed on our minds, led each State in the Convention to be less rigid on points of inferior magnitude than might have been otherwise expected; and thus the Constitution which we now present is the result of a spirit of amity, and of that mutual deference and concession which the peculiarity of our political situation rendered indispensable.

That it will meet the full and entire approbation of every State, is not perhaps to be

expected; but each will doubtless consider, that, had her interest alone been consulted, the consequences might have been particularly disagreeable or injurious to others. That it is liable to as few exceptions as could reasonably have been expected, we hope and believe; that it may promote the lasting welfare of that country so dear to us all, and secure her freedom and happiness, is our most ardent wish.

With great respect, we have the honor to be, sir, your excellency's most obedient and humble servants.

By the unanimous order of the Convention:

Go. WASHINGTON, *President.*

His Excellency the PRESIDENT *of Congress.*

The United States in Congress assembled.

FRIDAY, SEPTEMBER 28, 1787.

Present—New Hampshire, Massachusetts, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Virginia, North Carolina, South Carolina, and Georgia; and from Maryland, Mr. Ross.

Congress having received the report of the Convention lately assembled in Philadelphia,

Resolved, unanimously, That the said report, with the resolutions and letter accompanying the same, be transmitted to the several Legislatures, in order to be submitted to a convention of delegates chosen in each State by the people thereof, in conformity to the resolves of the Convention, made and provided in that case.

CHARLES THOMSON, *Secretary.*

AMENDMENTS.

Article the First.

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

Article the Second.

A well-regulated militia being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed.

Article the Third.

No soldier shall, in time of peace, be quartered in any house without the consent of the owner, nor in time of war but in a manner to be prescribed by law.

Article the Fourth.

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated; and no warrants shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or thing to be seized.

Article the Fifth.

No person shall be held to answer for a capital or otherwise infamous crime, unless

on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia when in actual service, in time of war or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself; nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use without just compensation.

Article the Sixth.

In all criminal prosecutions the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law; and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor; and to have the assistance of counsel for his defence.

Article the Seventh.

In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved; and no fact tried by a jury shall be otherwise re-examined in any court of the United States, than according to the rules of the common law.

Article the Eighth.

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

Article the Ninth.

The enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the people.

Article the Tenth.

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

Article the Eleventh.

The judicial power of the United States shall not be construed to extend to any suit in law or equity commenced or prosecuted against one of the United States by citizens of another State, or by citizens or subjects of any foreign State.

Article the Twelfth.

The electors shall meet in their respective States, and vote by ballot for President and Vice President, one of whom, at least, shall not be an inhabitant of the same State with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice President; and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice President, and of the number of votes for each; which lists they shall sign and certify, and transmit sealed to the seat of the Government of the United States, directed to the President of the Senate: the President of the Senate shall, in presence of the Senate and House of Representatives, open all the certificates, and the votes shall

then be counted: the person having the greatest number of votes for President shall be the President, if such number be a majority of the whole number of electors appointed; and if no person have such majority, then, from the persons having the highest numbers, not exceeding three, on the list of those voted for as President, the House of Representatives shall choose, immediately, by ballot, the President. But, in choosing the President, the votes shall be taken by States, the representation from each State having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the States, and a majority of all the States shall be necessary to a choice. And if the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice President shall act as President as in the case of the death or other constitutional disability of the President.

The person having the greatest number of votes as Vice President shall be the Vice President, if such number be a majority of the whole number of electors appointed; and if no person have a majority, then, from the two highest numbers on the list, the Senate shall choose the Vice President: a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice.

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RULES AND ORDERS

OF THE

HOUSE OF REPRESENTATIVES

OF THE

TWENTY-FIFTH CONGRESS.

STANDING RULES AND ORDERS

FOR CONDUCTING BUSINESS IN THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES.

Touching the Duty of the Speaker.

1. He shall take the chair every day precisely at the hour to which the House shall have adjourned on the preceding day; shall immediately call the members to order; and, on the appearance of a quorum, shall cause the Journal of the preceding day to be read.

2. He shall preserve order and decorum; may speak to points of order in preference to other members, rising from his seat for that purpose; and shall decide questions of order, subject to an appeal to the House by any two members; on which appeal no member shall speak more than once, unless by leave of the House.

3. He shall rise to put a question, but may state it sitting.

4. Questions shall be distinctly put in this form, to wit: "As many as are of opinion that (as the question may be) say Ay; and, after the affirmative voice is expressed, "As many as are of the contrary opinion, say No." If the Speaker doubts, or a division be called for, the House shall divide: those in the affirmative of the question shall first rise from their seats, and afterwards those in the negative. If the Speaker still doubts, or a count be required, the Speaker shall name two members, one from each side, to tell the members in the affirmative; which being reported, he shall then name two others, one from each side, to tell those in the negative; which being also reported, he shall rise, and state the decision to the House. No division and count of the House by tellers shall be in order, but upon motion seconded by at least one-fifth of a quorum of the members.

5. When any motion or proposition is made, the ques-

tion, "Will the House now consider it?" shall not be put, unless it is demanded by some member, or is deemed necessary by the Speaker. ~Dec 11. 1817.

6. The Speaker shall examine and correct the Journal before it is read. He shall have a general direction of the Hall. He shall have a right to name any member to perform the duties of the chair, but such substitution shall not extend beyond an adjournment.

7. All committees shall be appointed by the Speaker, unless otherwise specially directed by the House, in which case they shall be appointed by ballot; and if, upon such ballot, the number required shall not be elected by a majority of the votes given, the House shall proceed to a second ballot, in which a plurality of votes shall prevail; and, in case a greater number than is required to compose or complete a committee shall have an equal number of votes, the House shall proceed to a further ballot or ballots.

8. In all other cases of ballot than for committees, a majority of the votes given shall be necessary to an election; and where there shall not be such a majority on the first ballot, the ballot shall be repeated until a majority be obtained. And in all ballotings blanks shall be rejected and not taken into the count in the enumeration of votes, or reported by the tellers.

9. ~~In~~ all cases of ballot by the House, the Speaker shall vote; in other cases he shall not vote, unless the House be equally divided, or unless his vote, if given to the minority, will make the division equal; and, in case of such equal division, the question shall be lost.

10. In all cases where other than members of the House may be eligible to an office by the election of the House, there shall be a previous nomination.

11. ~~11.~~ All acts, addresses, and joint resolutions, shall be signed by the Speaker; and all writs, warrants, and subpœnas, issued by order of the House, shall be under his hand and seal, attested by the Clerk.

12. ~~10.~~ In case of any disturbance or disorderly conduct in the galleries or lobby, the Speaker (or Chairman of

11. In all cases of Election by the House, the 2 and 1st Nine Votes Dec 12 1822

the Committee of the Whole House) shall have power to order the same to be cleared.

13. No person, except members of the Senate, their Secretary, Heads of Departments, Treasurer, Comptrollers, Register, Auditors, Postmaster General, President's Secretary, Chaplains to Congress, Judges of the United States, Foreign Ministers and their Secretaries, officers who, by name, have received, or shall hereafter receive, the thanks of Congress for their gallantry and good conduct displayed in the service of their country, the Commissioners of the Navy Board, Governor, for the time being, of any State of Territory of the Union, who may attend at the seat of the General Government during the session of Congress, and who may choose to avail himself of such privilege, such gentlemen as have been Heads of Departments, or members of either branch of the Legislature, and, at the discretion of the Speaker, persons who belong to such Legislatures of foreign Governments as are in amity with the United States, shall be admitted within the Hall of the House of Representatives.

14. Stenographers, wishing to take down the debates, may be admitted by the Speaker, who shall assign such places to them on the floor or elsewhere, to effect their object, as shall not interfere with the convenience of the House.

15. No person shall be allowed the privilege of the Hall, under the character of stenographer, without a written permission from the Speaker, specifying the part of the Hall assigned to him; and no reporter or stenographer shall be admitted under the rules of the House, unless such reporter or stenographer shall state, in writing, for what paper or papers he is employed to report.—(March 1, 1838.)

16. The Doorkeeper shall execute strictly the 13th and 15th rules, relative to the privilege of the Hall.—(March 1, 1838.)

Order of Business of the Session.

17. After six days from the commencement of a second

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18 The Clerk of the House shall take an oath for the true and faithful discharge of the duties of his office to the best of his knowledge & abilities. Rule April 13. 1789 & act June 1st 1789.

or subsequent session of any Congress, all bills, resolutions, and reports, which originated in the House, and at the close of the next preceding session remained undetermined, shall be resumed and acted on in the same manner as if an adjournment had not taken place.

Order of Business of the Day.

18. As soon as the Journal is read, the Speaker shall call for petitions from the members of each State, and delegates from each Territory, beginning with Maine and the Territory of Wisconsin, alternately; and if, on any day, the whole of the States and Territories shall not be called, the Speaker shall begin on the next day where he left off the previous day; provided that, after the first thirty days of the session, petitions shall not be received, except on the first day of the meeting of the House in each week.

19. The petitions having been presented and disposed of, reports from committees shall be called for and disposed of; in doing which the Speaker shall call upon each standing committee, in the order they are named in the [illegible]st and [illegible]th rules; and when all the standing committees have been called on, then it shall be the duty of the Speaker to call for reports from select committees; if the Speaker shall not get through the call upon the committees before the House passes to other business, he shall resume the next call where he left off. Resolutions shall then be called for in the same order, and disposed of by the same rules which apply to petitions: provided that no member shall offer more than one resolution, or one series of resolutions, all relating to the same subject, until all the States and Territories shall have been called.

20. All the States and Territories shall be called for resolutions on each alternate Monday during each session of Congress; and, if necessary to secure this object on said days, all resolutions which shall give rise to debate shall lie over for discussion, under the rules of the House already established; and the whole of said days shall be appropri-

ated to resolutions, until all the States and Territories are called through.—(February 6, 1838.)

21. After one hour shall have been devoted to reports from committees, and resolutions, it shall be in order, pending the consideration or discussion thereof, to entertain a motion that the House do now proceed to dispose of the business on the Speaker's table, and to the orders of the day; which being decided in the affirmative, the Speaker shall dispose of the business on his table in the following order, viz:

1st. Messages and other Executive communications.

2d. Messages from the Senate, and amendments proposed by the Senate to bills of the House.

3d. Bills and resolutions from the Senate on their first and second reading, that they be referred to committees and put under way; but if, on being read a second time, no motion be made to commit, they are to be ordered to their third reading, unless objection be made; in which case, if not otherwise ordered by a majority of the House, they are to be laid on the table in the general file of bills on the Speaker's table, to be taken up in their turn.

4th. Engrossed bills and bills from the Senate on their third reading.

5th. Bills of the House and from the Senate, on the Speaker's table, on their engrossment, or on being ordered to a third reading, to be taken up and considered in the order of time in which they passed to a second reading.

The messages, communications, and bills on his table having been disposed of, the Speaker shall then proceed to call the orders of the day.

22. The business specified in the two preceding rules shall be done at no other part of the day, except by permission of the House.

Local or Private Business.

23. Friday and Saturday in every week shall be set apart for the consideration of private bills and private business, in preference to any other, unless otherwise determined by a majority of the House.

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26. On the first & fourth Friday of each month the Calender of private Bills shall be called.

Of Decorum and Debate.

24. When any member is about to speak in debate, or deliver any matter to the House, he shall rise from his seat, and respectfully address himself to "Mr. Speaker," and shall confine himself to the question under debate, and avoid personality.

25. If any member, in speaking or otherwise, transgress the rules of the House, the Speaker shall, or any member may, call to order; in which case, the member so called to order shall immediately sit down, unless permitted to explain; and the House shall, if appealed to, decide on the case, but without debate: if there be no appeal, the decision of the Chair shall be submitted to. If the decision be in favor of the member called to order, he shall be at liberty to proceed; if otherwise, he shall not be permitted to proceed, in case any member object, without leave of the House; and, if the case require it, he shall be liable to the censure of the House.

26. If a member be called to order for words spoken in debate, the person calling him to order shall repeat the words excepted to, and they shall be taken down in writing at the Clerk's table; and no member shall be held to answer, or be subject to the censure of the House, for words spoken in debate, if any other member has spoken, or other business has intervened, after the words spoken, and before exception to them shall have been taken.

27. When two or more members happen to rise at once, the Speaker shall name the member who is first to speak.

28. No member shall speak more than twice to the same question, without leave of the House, nor more than once until every member choosing to speak shall have spoken.

29. If a question depending be lost by adjournment of the House, and revived on the succeeding day, no member, who shall have spoken twice on the preceding day, shall be permitted again to speak without leave.

30. Whilst the Speaker is putting any question, or addressing the House, none shall walk out of or across the House; nor, in such case, or when a member is speaking,

shall entertain private discourse; nor, whilst a member is speaking, shall pass between him and the Chair. Every member shall remain uncovered during the sessions of the House. No member or other person shall visit or remain by the Clerk's table while the ayes and noes are calling, or ballots are counting.

31. No member shall vote on any question in the event of which he is immediately and particularly interested, or in any case where he was not within the bar of the House when the question was put. And when any member shall ask leave to vote, the Speaker shall propound to him the question—"*Were you within the bar when your name was called?*"

32. Upon a division and count of the House on any question, no member without the bar shall be counted.

33. Every member who shall be in the House when the question is put, shall give his vote, unless the House, for special reasons, shall excuse him. All motions to excuse a member from voting, shall be made before the House divides, or before the call of the yeas and nays is commenced; and any member requesting to be excused from voting, may make a brief verbal statement of the reasons for making such request, and the question shall then be taken without further debate.

34. When a motion is made and seconded, it shall be stated by the Speaker; or, being in writing, it shall be handed to the Chair, and read aloud by the Clerk, before debated.

35. Every motion shall be reduced to writing, if the Speaker or any member desire it.

36. After a motion is stated by the Speaker, or read by the Clerk, it shall be deemed to be in the possession of the House, but may be withdrawn at any time before a decision or amendment.

37. When a question is under debate, no motion shall be received but to adjourn, to lie on the table, for the previous question, to postpone to a day certain, to commit or amend, to postpone indefinitely; which several motions shall have precedence in the order in which they are arranged; and

no motion to postpone to a day certain, to commit, or to postpone indefinitely, being decided, shall be again allowed on the same day, and at the same stage of the bill or proposition. A motion to strike out the enacting words of a bill shall have precedence of a motion to amend, and, if carried, shall be considered equivalent to its rejection.

38. When a resolution shall be offered, or a motion made, to refer any subject, and different committees shall be proposed, the question shall be taken in the following order:

The Committee of the Whole House on the state of the Union; the Committee of the Whole House; a Standing Committee; a Select Committee.

39. A motion to adjourn shall be always in order; that, and the motion to lie on the table, shall be decided without debate.

40. The hour at which every motion to adjourn is made, shall be entered on the Journal. (October 9, 1837.)

41. The previous question shall be in this form: "Shall the main question be now put?" It shall only be admitted when demanded by a majority of the members present; and, until it is decided, shall preclude all amendment, and further debate of the main question. On a motion for the previous question, and prior to the seconding of the same, a call of the House shall be in order; but, after a majority shall have seconded such motion, no call shall be in order prior to a decision of the main question.

42. On a previous question there shall be no debate. All incidental questions of order arising after a motion is made for the previous question, and pending such motion, shall be decided, whether on appeal or otherwise, without debate.

43. When a question is postponed indefinitely, the same shall not be acted upon again during the session.

44. Any member may call for the division of a question, which shall be divided if it comprehend propositions in substance so distinct, that one being taken away, a substantive proposition shall remain for the decision of the House. A motion to strike out and insert shall be deemed

indivisible; but a motion to strike out being lost, shall preclude neither amendment nor a motion to strike out and insert.

45. Motions and reports may be committed at the pleasure of the House.

46. No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment. No bill or resolution shall, at any time, be amended by annexing thereto, or incorporating therewith, any other bill or resolution pending before the House.†

47. When a motion has been once made, and carried in the affirmative or negative, it shall be in order for any member of the majority to move for the reconsideration thereof, on the same or the succeeding day; and such motion shall take precedence of all other questions, except a motion to adjourn.

48. When the reading of a paper is called for, and the same is objected to by any member, it shall be determined by a vote of the House.

49. The unfinished business in which the House was engaged at the last preceding adjournment shall have the preference in the orders of the day; and no motion on any other business shall be received, without special leave of the House, until the former is disposed of.

50. Every order, resolution, or vote, to which the concurrence of the Senate shall be necessary, shall be read to the House, and laid on the table, on a day preceding that in which the same shall be moved, unless the House shall otherwise expressly allow.

51. Petitions, memorials, and other papers addressed to the House, shall be presented by the Speaker, or by a member in his place; a brief statement of the contents thereof shall be made verbally by the introducer; they shall not be debated on the day of their being presented; nor on any day assigned by the House for the receipt of petitions after the first thirty days of the session, unless where the House shall direct otherwise, but shall lie on the table, to be taken up in the order in which they were presented.

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† The latter clause of this Rule was adopted at the 1st sess 25th Cong—it as originally reported by the Com^e the following words were contained at the end of it— "nor by any proposition containing the substance, in whole or in part of any other

52. A proposition requesting information from the President of the United States, or directing it to be furnished by the head of either of the Executive Departments, or by the Postmaster General, or to print an extra number of any document or other matter, excepting messages of the President to both Houses at the commencement of each session of Congress, and the reports and documents connected with or referred to in it, shall lie on the table one day for consideration, unless otherwise ordered by the unanimous consent of the House; and all such propositions shall be taken up for consideration in the order they were presented, immediately after reports are called for from select committees; and, when adopted, the Clerk shall cause the same to be delivered.

53. Any fifteen members (including the Speaker, if there be one) shall be authorized to compel the attendance of absent members.

54. Upon calls of the House, or in taking the yeas and nays on any question, the names of the members shall be called alphabetically.

55. Any member may excuse himself from serving on any committee at the time of his appointment, if he is then a member of two other committees.

56. No member shall absent himself from the service of the House, unless he have leave, or be sick and unable to attend.

57. Upon the call of the House, the names of the members shall be called over by the Clerk, and the absentees noted; after which, the names of the absentees shall again be called over, the doors shall then be shut, and those for whom no excuse, or insufficient excuses are made, may, by order of those present, if fifteen in number, be taken into custody as they appear, or may be sent for and taken into custody, wherever to be found, by special messengers to be appointed for that purpose.

58. When a member shall be discharged from custody, and admitted to his seat, the House shall determine whether such discharge shall be with or without paying fees; and, in like manner, whether a delinquent member,

taken into custody by a special messenger, shall, or shall not, be liable to defray the expense of such special messenger.

59. A Sergeant-at-arms shall be appointed, to hold his office during the pleasure of the House, whose duty it shall be to attend the House during its sittings; to execute the commands of the House from time to time; together with all such process, issued by authority thereof, as shall be directed to him by the Speaker.

60. The fees of the Sergeant-at-arms shall be, for every arrest, the sum of two dollars; for each day's custody and releasement, one dollar; and for travelling expenses for himself or a special messenger, going and returning, one-tenth of a dollar per mile. April 14. 1794. +

+ 61. Twenty-seven standing committees shall be appointed at the commencement of each session, viz:

A Committee of Elections,	To consist of nine members each.
A Committee of Ways and Means,	
A Committee of Claims,	
A Committee on Commerce,	
A Committee on the Public Lands,	
A Committee on the Post Office and Post Roads,	
A Committee for the District of Columbia,	
A Committee on the Judiciary,	
A Committee on Revolutionary Claims,	
A Committee on Public Expenditures,	
A Committee on Private Land Claims,	
A Committee on Manufactures,	
A Committee on Agriculture,	
A Committee on Indian Affairs,	
A Committee on Military Affairs,	
A Committee on the Militia,	
A Committee on Naval Affairs,	
A Committee on Foreign Affairs,	
A Committee on the Territories,	
A Committee on Revolutionary Pensions,	
A Committee on Invalid Pensions,	
A Committee on Roads and Canals,	
A Committee on Patents,	To consist of five members each.
A Committee on Public Buildings and Grounds,	
A Committee of Revisal and Unfinished Business,	
A Committee of Accounts,	
A Committee on Mileage,	

+ 64. It shall be the duty of the Sergeant at arms to keep the accounts for pay and mileage of members, to prepare checks, and if required to do so, to draw the money on such checks for the members. (the same)

62. It shall be the duty of the Committee of Elections to examine and report upon the certificates of election, or other credentials, of the members returned to serve in this House; and to take into their consideration all such petitions, and other matters touching elections and returns, as shall or may be presented, or come into question, and be referred to them by the House.

63. It shall be the duty of the Committee of Ways and Means to take into consideration all such reports of the Treasury Department, and all such propositions relative to the revenue, as may be referred to them by the House; to inquire into the state of the public debt or the revenue, and of the expenditure; and to report, from time to time, their opinion thereon, [to examine into the state of the several public Departments, and particularly into the laws making appropriations of moneys, and to report whether the moneys have been disbursed conformably with such laws; and also to report, from time to time, such provisions and arrangements as may be necessary to add to the economy of the Departments, and the accountability of their officers.]*

In preparing bills of appropriations for other objects, the Committee of Ways and Means shall not include appropriations for carrying into effect treaties made by the United States; and where an appropriation bill shall be referred to them for their consideration, which contains appropriations for carrying a treaty into effect, and for other objects, they shall propose such amendments as shall prevent appropriations for carrying a treaty into effect being included in the same bill with appropriations for other objects.

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* That portion of the duty of the Committee of Ways and Means which is printed within brackets, was, originally, adopted on the 7th January, 1802. On the 26th February, 1814, the Committee on Public Expenditures was created, and added to the list of Standing Committees; the duties of this latter committee are exactly those contained in that portion of the duties of the Committee of Ways and Means which are referred to in this note as within brackets.—See rule [illegible] The words ought to be stricken from the specification of the duties of the Committee of Ways and Means.

64. It shall also be the duty of the Committee of Ways and Means, within thirty days after their appointment, at every session of Congress, commencing on the first Monday of December, to report the general appropriation bills—for the civil and diplomatic expenses of Government; for the army; for the navy; and for the Indian department and Indian annuities; or, in failure thereof, the reasons of such failure.

65. General appropriation bills shall be in order in preference to any other bills of a public nature, unless otherwise ordered by a majority of the House.

66. No appropriation shall be reported in such general appropriation bills, or be in order as an amendment thereto, for any expenditure not previously authorized by law.

67. It shall be the duty of the Committee of Claims to take into consideration all such petitions, and matters of things touching claims and demands on the United States as shall be presented, or shall or may come in question, and be referred to them by the House; and to report their opinion thereupon, together with such propositions for relief therein as to them shall seem expedient.

68. It shall be the duty of the Committee on Commerce to take into consideration all such petitions and matters or things touching the commerce of the United States, as shall be presented, or shall or may come into question, and be referred to them by the House; and to report, from time to time, their opinion thereon.

69. It shall be the duty of the Committee on the Public Lands to take into consideration all such petitions and matters or things respecting the lands of the United States, as shall be presented, or shall or may come in question, and be referred to them by the House; and to report their opinion thereon, together with such propositions for relief therein as to them shall seem expedient.

70. It shall be the duty of the Committee on the Post Office and Post Roads to take into consideration all such petitions and matters or things touching the post office and post roads, as shall be presented, or may come in question, and be referred to them by the House; and to report their

opinion thereupon, together with such propositions relative thereto as to them shall seem expedient.

71. It shall be the duty of the Committee for the District of Columbia to take into consideration all such petitions and matters or things touching the said District as shall be presented, or shall come in question, and be referred to them by the House; and to report their opinion thereon, together with such propositions relative thereto as to them shall seem expedient.

72. It shall be the duty of the Committee on the Judiciary to take into consideration such petitions and matters or things touching judicial proceedings as shall be presented, or may come in question, and be referred to them by the House; and to report their opinion thereupon, together with such propositions relative thereto as to them shall seem expedient.

73. It shall be the duty of the Committee on Revolutionary Claims to take into consideration all such petitions and matters or things touching claims and demands originating in the revolutionary war, or arising therefrom, as shall be presented, or shall or may come in question, and be referred to them by the House; and to report their opinion thereupon, together with such propositions for relief therein as to them shall seem expedient.

74. It shall be the duty of the Committee on Public Expenditures to examine into the state of the several public Departments, and particularly into laws making appropriations of moneys, and to report whether the moneys have been disbursed conformably with such laws; and also to report, from time to time, such provisions and arrangements as may be necessary to add to the economy of the Departments, and the accountability of their officers.*

75. It shall be the duty of the Committee on Private

* See Note to Rule 72.—And farther, on the 30th March, 1816, six Committees on Expenditures in the several Departments of the Government were created and added to the list of Standing Committees. The duties assigned to these several Committees would seem entirely to cover the duties of the Committee on Public Expenditures. See Rules ~~90~~ and ~~99~~.

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Land Claims to take into consideration all claims to land which may be referred to them, or shall or may come in question; and to report their opinion thereupon, together with such propositions for relief therein as to them shall seem expedient.

76. It shall be the duty of the Committee on Military Affairs to take into consideration all subjects relating to the military establishment and public defence, which may be referred to them by the House, and to report their opinion thereupon; and also to report, from time to time, such measures as may contribute to economy and accountability in the said establishment.

77. It shall be the duty of the Committee on the Militia to take into consideration and report on all subjects connected with the organizing, arming, and disciplining the militia of the United States.

78. It shall be the duty of the Committee on Naval Affairs to take into consideration all matters which concern the naval establishment, and which shall be referred to them by the House, and to report their opinion thereupon; and also to report, from time to time, such measures as may contribute to economy and accountability in the said establishment.

79. It shall be the duty of the Committee on Foreign Affairs to take into consideration all matters which concern the relations of the United States with foreign nations, and which shall be referred to them by the House, and to report their opinion on the same.

80. It shall be the duty of the Committee on the Territories to examine into the legislative, civil, and criminal proceedings of the Territories, and to devise and report to the House such means as, in their opinion, may be necessary to secure the rights and privileges of residents and non-residents.

81. It shall be the duty of the Committee on Revolutionary Pensions to take into consideration all such matters respecting pensions for services in the revolutionary war, other than invalid pensions, as shall be referred to them by the House.

82. It shall be the duty of the Committee on Invalid

Pensions to take into consideration all such matters respecting invalid pensions as shall be referred to them by the House.

83. It shall be the duty of the Committee on Roads and Canals to take into consideration all such petitions and matters or things relating to roads and canals, and the improvement of the navigation of rivers, as shall be presented, or may come in question, and be referred to them by the House; and to report thereupon, together with such propositions relative thereto as to them shall seem expedient.

84. It shall be the duty of the Committee on Patents to consider all subjects relating to patents which may be referred to them, and report their opinion thereon, together with such propositions relative thereto as may seem to them expedient.

85. It shall be the duty of the Committee on Public Buildings and Grounds to consider all subjects relating to the public edifices and grounds within the city of Washington which may be referred to them, and report their opinion thereon, together with such propositions relating thereto as may seem to them expedient.

86. It shall be the duty of the Committee of Revisal and Unfinished Business to examine and report what laws have expired, or are near expiring, and require to be revived or further continued; also, to examine and report, from the Journal of last session, all such matters as were then depending and undetermined.

87. It shall be the duty of the Committee of Accounts to superintend and control the expenditures of the contingent fund of the House of Representatives, and to audit and settle all accounts which may be charged thereon; and also to audit the accounts of the members for their travel to and from the seat of Government, and their attendance in the House.*

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* So much of this rule as directs the Committee of Accounts to audit and settle the mileage and daily pay of the members, was adopted at the 1st Session 12th Congress, (1812.) At the 1st Session of the 26th Congress, (1837,) a Standing Committee on Mileage was created for the especial purpose of ascertaining and reporting the mileage for which each member shall receive pay.—See Rule [illegible]

88. It shall be the duty of the Committee on Mileage to ascertain and report the distance to the Sergeant-at-arms for which each member shall receive pay.

89. Six additional standing committees shall be appointed at the commencement of the first session in each Congress, whose duties shall continue until the first session of the ensuing Congress:

1. A committee on so much of the public accounts and expenditures as relate to the Department of State;
2. A committee on so much of the public accounts and expenditures as relate to the Treasury Department;
3. A committee on so much of the public accounts and expenditures as relate to the Department of War;
4. A committee on so much of the public accounts and expenditures as relate to the Department of the Navy;
5. A committee on so much of the public accounts and expenditures as relate to the Post Office; and
6. A committee on so much of the public accounts and expenditures as relate to the Public Buildings;

To consist of five members each.

90. It shall be the duty of the said committees to examine into the state of the accounts and expenditures respectively submitted to them, and to inquire and report particularly—

Whether the expenditures of the respective Departments are justified by law:

Whether the claims from time to time satisfied and discharged by the respective Departments are supported by sufficient vouchers, establishing their justness both as to their character and amount:

Whether such claims have been discharged out of funds appropriated therefor; and whether all moneys have been disbursed in conformity with appropriation laws: and

Whether any, and what, provisions are necessary to be adopted, to provide more perfectly for the proper application of the public moneys, and to secure the Government from demands unjust in their character, or extravagant in their amount.

And it shall be, moreover, the duty of the said committees to report, from time to time, whether any, and what, retrenchment can be made in the expenditures of

the several Departments, without detriment to the public service; whether any, and what, abuses at any time exist in the failure to enforce the payment of moneys which may be due to the United States from public defaulters or others: and to report, from time to time, such provisions and arrangements as may be necessary to add to the economy of the several Departments, and the accountability of their officers.*

91. The several standing committees of the House shall have leave to report by bill or otherwise.

92. No committee shall sit during the sitting of the House, without special leave.

~~93. The Clerk of the House shall take an oath for the true and faithful discharge of the duties of his office, to the best of his knowledge and abilities, and shall be deemed to continue in office until another be appointed.~~

94. It shall be the duty of the Clerk to make, and cause to be printed, and delivered to each member, at the commencement of every session of Congress, a list of the reports which it is the duty of any officer or Department of the Government to make to Congress; referring to the act or resolution, and page of the volume of the Laws or Journal in which it may be contained; and placing under the name of each officer the list of reports required of him to be made, and the time when the report may be expected.

95. It shall be the duty of the Clerk of the House, at the end of each session, to send a printed copy of the Journals thereof to the Executive, and to each branch of the Legislature, of every State.

96. All questions of order shall be noted by the Clerk, with the decision, and put together at the end of the Journal of every session.

97. Whenever confidential communications are received from the President of the United States, the House shall be cleared of all persons, except the members, Clerk, Sergeant-at-arms, and Doorkeeper, and so continue during the reading of such communications, and (unless otherwise directed by the House) during all debates and proceedings to

* See notes to Rules [illegible] and [illegible]

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be had thereon. And when the Speaker, or any other member, shall inform the House that he has communications to make, which he conceives ought to be kept secret, the House shall, in like manner, be cleared, till the communication be made; the House shall then determine whether the matter communicated requires secrecy or not, and take order accordingly.

98. The Sergeant at arms and the Doorkeeper shall be sworn to keep the secrets of the House.

99. All questions relating to the priority of business to be acted on shall be decided without debate.

Of Bills.

100. Every bill shall be introduced on the report of a committee, or by motion for leave. In the latter case, at least one day's notice shall be given of the motion; and the motion shall be made, and the bill introduced, if leave is given, when resolutions are called for: such motion, or the bill when introduced, may be committed.

101. Every bill shall receive three several readings in the House, previous to its passage; and bills shall be despatched in order as they were introduced, unless where the House shall direct otherwise; but no bill shall be twice read on the same day, without special order of the House.

102. The first reading of a bill shall be for information; and, if opposition be made to it, the question shall be, "Shall this bill be rejected?" If no opposition be made, or if the question to reject be negatived, the bill shall go to its second reading without a question.

103. Upon the second reading of a bill, the Speaker shall state it as ready for commitment or engrossment; and, if committed, then a question shall be, whether to a select or standing committee, or to a Committee of the Whole House: if to a Committee of the Whole House, the House shall determine on what day; if no motion be made to commit, the question shall be stated on its engrossment; and if it be not ordered to be engrossed on the day of its being reported, it shall be placed in the

general file on the Speaker's table, to be taken up in its order. But, if the bill be ordered to be engrossed, the House shall appoint the day when it shall be read the third time.

104. Not more than three bills, originating in the House, shall be committed to the same Committee of the Whole; and such bills shall be analogous in their nature, which analogy shall be determined by the Speaker.

105. After commitment and report thereof to the House, or at any time before its passage, a bill may be recommitted.

106. All bills ordered to be engrossed shall be executed in a fair round hand.

107. No amendment by way of *rider* shall be received to any bill on its third reading.

108. When a bill shall pass, it shall be certified by the Clerk, noting the day of its passage at the foot thereof.

Of Committees of the Whole House.

109. It shall be a standing order of the day, throughout the session, for the House to resolve itself into a Committee of the Whole House on the state of the Union.

110. In forming a Committee of the Whole House, the Speaker shall leave his chair, and a chairman, to preside in committee, shall be appointed by the Speaker.

111. Upon bills committed to a Committee of the Whole House, the bill shall be first read throughout by the Clerk, and then again read and debated by clauses, leaving the preamble to be last considered: the body of the bill shall not be defaced or interlined; but all amendments, noting the page and line, shall be duly entered by the Clerk on a separate paper, as the same shall be agreed to by the committee, and so reported to the House. After report, the bill shall again be subject to be debated and amended by clauses, before a question to engross it be taken.

112. All amendments made to an original motion in committee shall be incorporated with the motion, and so reported.

113. All amendments made to a report committed to a Committee of the Whole House shall be noted and reported, as in the case of bills.

114. All questions, whether in committee or in the House, shall be propounded in the order in which they were moved, except that, in filling up blanks, the largest sum and longest time shall be first put.

115. No motion or proposition for a tax or charge upon the people shall be discussed the day in which it is made or offered; and every such proposition shall receive its first discussion in a Committee of the Whole House.

116. No sum or quantum of tax or duty, voted by a Committee of the Whole House, shall be increased in the House until the motion or proposition for such increase shall be first discussed and voted in a Committee of the Whole House; and so in respect to the time of its continuance.

117. All proceedings touching appropriations of money shall be first discussed in a Committee of the Whole House.

118. The rules of proceedings in the House shall be observed in a Committee of the Whole House, so far as they may be applicable, except the rule limiting the time of speaking; but no member shall speak twice to any question, until every member choosing to speak shall have spoken.

119. No standing rule or order of the House shall be rescinded or changed without one day's notice being given of the motion therefor. Nor shall any rule be suspended, except by a vote of at least two-thirds of the members present. Nor shall the order of business, as established by the rules of the House, be postponed or changed, except by a vote of at least two-thirds of the members present.

120. It shall be in order for the Committee on Enrolled Bills to report at any time.

121. The rules of Parliamentary Practice, comprised in Jefferson's Manual, shall govern the House in all cases to which they are applicable, and in which they are not inconsistent with the Standing Rules and Orders of the

House, and the Joint Rules of the Senate and House of Representatives.

122. No person shall be permitted to perform divine service in the chamber occupied by the House of Representatives, unless with the consent of the Speaker.

123. The rule for paying witnesses summoned to appear before this House, or either of its committees, shall be as follows: for each day a witness shall attend, the sum of two dollars; for each mile he shall travel in coming to or going from the place of examination, the sum of ten cents each way; but nothing shall be paid for travelling home when the witness has been summoned at the place of trial.

124. The Clerk shall, within thirty days after the close of each session of Congress, cause to be completed the printing and primary distribution, to members and delegates, of the Journal of the House, together with an accurate index to the same. ([redacted] June 18, 1832.)

125. There shall be retained in the library of the Clerk's office, for the use of the members there, and not to be withdrawn therefrom, two copies of all the books and printed documents deposited in the library. (Order of December 22, 1826.)

126. The Clerk shall have preserved for each member of the House, an extra copy, in good binding, of all the documents printed by order of either House at each future session of Congress. ([redacted] Feb. 9, 1831.)

127. It shall be the duty of the Clerk to make a weekly statement of the resolutions and bills (Senate bills inclusive) upon the Speaker's table, accompanied with a brief reference to the orders and proceedings of the House upon each, and the date of such orders and proceedings; which statement shall be printed for the use of the members. ([redacted]il 21, 1836.)

128. The unappropriated rooms in that part of the Capitol assigned to the House shall be subject to the order and disposal of the Speaker, until the further order of the House. (May 26, 1824.)

129. The Clerk shall cause an index to be prepared to

The clerk shall take proper measures for [redacted] of the public Stables

the acts passed at every session of Congress, and to be printed and bound with the acts. (July 14, 1832.)

130. Maps accompanying documents shall not be printed, under the general order to print, without the special direction of the House. (March 2, 1837; September 11, 1837.)

JOINT RULES AND ORDERS OF THE TWO HOUSES.

1. In every case of an amendment of a bill agreed to in one House, and dissented to in the other, if either House shall request a conference, and appoint a committee for that purpose, and the other House shall also appoint a committee to confer, such committee shall, at a convenient hour, to be agreed on by their chairman, meet in the conference chamber, and state to each other, verbally or in writing, as either shall choose, the reasons of their respective Houses for and against the amendment, and confer freely thereon.

2. When a message shall be sent from the Senate to the House of Representatives, it shall be announced at the door of the House by the Doorkeeper, and shall be respectfully communicated to the Chair by the person by whom it may be sent.

3. The same ceremony shall be observed when a message shall be sent from the House of Representatives to the Senate.

4. Messages shall be sent by such persons as a sense of propriety in each House may determine to be proper.

5. While bills are on their passage between the two Houses, they shall be on paper, and under the signature of the Secretary or Clerk of each House respectively.

6. After a bill shall have passed both Houses, it shall be duly enrolled on parchment by the Clerk of the House of Representatives, or the Secretary of the Senate, as the bill may have originated in the one or the other House, before it shall be presented to the President of the United States.

7. When bills are enrolled, they shall be examined by a joint committee of two from the Senate and two from the House of Representatives, appointed as a standing committee for that purpose, who shall carefully compare the enrolment with the engrossed bills, as passed in the two Houses, and, correcting any errors that may be discovered

in the enrolled bills, make their report forthwith to their respective Houses.

8. After examination and report, each bill shall be signed in the respective Houses, first by the Speaker of the House of Representatives, then by the President of the Senate.

9. After a bill shall have been thus signed in each House, it shall be presented, by the said committee, to the President of the United States for his approbation, (it being first endorsed on the back of the roll, certifying in which House the same originated; which endorsement shall be signed by the Secretary or Clerk [as the case may be] of the House in which the same did originate,) and shall be entered on the Journal of each House. The said committee shall report the day of presentation to the President; which time shall also be carefully entered on the Journal of each House.

10. All orders, resolutions, and votes, which are to be presented to the President of the United States for his approbation, shall also, in the same manner, be previously enrolled, examined, and signed; and shall be presented in the same manner, and by the same committee, as provided in the cases of bills.

11. When the Senate and House of Representatives shall judge it proper to made a joint address to the President, it shall be presented to him in his audience chamber by the President of the Senate, in the presence of the Speaker and both Houses.

12. When a bill or resolution which shall have passed in one House is rejected in the other, notice thereof shall be given to the House in which the same shall have passed.

13. When a bill or resolution which has been passed in one House shall be rejected in the other, it shall not be brought in during the same session, without a notice of ten days, and leave of two-thirds of that House in which it shall be renewed.

14. Each House shall transmit to the other all papers on which any bill or resolution shall be founded.

15. After each House shall have adhered to their disagreement, a bill or resolution shall be lost.

16. No bill that shall have passed one House shall be sent for concurrence to the other on either of the three last days of the session.

17. No bill or resolution that shall have passed the House of Representatives and the Senate, shall be presented to the President of the United States for his approbation on the last day of the session.

18. When bills which have passed one House are ordered to be printed in the other, a greater number of copies shall not be printed than may be necessary for the use of the House making the order.

19. No spirituous liquors shall be offered for sale, or exhibited, within the Capitol, or on the public grounds adjacent thereto.

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THE RULES AND ORDERS

OF

THE HOUSE OF REPRESENTATIVES,

AND TO THE JOINT RULES.

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